IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Special Appeal No. 15 of 2001

Dineshpur Kisan Sewa Sahkari Samiti Ltd.,
Dineshpur, District Udham Singh Nagar,
Through its Secretary/Managing Director,
Shri Nand Prakash Rastogi. .....Appellant

Versus

Naresh Kumar S/o Shri Jhandu Singh,
At present working as Clerk in
Dineshpur Kisan Sewa Sahkari Samiti Ltd.,
Dineshpur, District Udham Singh Nagar. .....Respondent

Mr. Rajendra Dobhal, learned counsel for the appellant.
Mr. S.K. Mandal, learned counsel for the respondent.

Coram: Hon'ble V.S. Sirpurkar, C.J.
Hon. Irshad Hussain, J.

Dated: 12th August 2004

(Per Hon'ble the Chief Justice)

1. In this appeal, the order of the learned Single Judge dated 10.9.2001, quashing the suspension order, has been challenged by the appellant - Cooperative Society.

2. The suspension order was passed in the month of January, 2001. It is an admitted position that till today, the enquiry has not been completed. There is a clear-cut averment to that effect on behalf of the original petitioner (respondent herein). The parties agree that the enquiry could be directed to be completed within a stipulated time and if the enquiry is not completed within a stipulated time, the original petitioner (respondent herein) shall be reinstated.

3. Accordingly, we grant six weeks' time form today for completing the departmental enquiry, which is pending. Needless to mention here that if the departmental enquiry is not completed within that period, the respondent shall be entitled to be reinstated.

4. With these directions, we dispose of the appeal on the basis of the understating between the parties. All the interim applications in this appeal are also closed.

(Irshad Hussain, J.) **(V.S. Sirpurkar, C.J.)**
12.8.2004 **12.08.2004**

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